Yates County Planning Board Referral Form

Referral # County Use Only 2016-7

Date Received 02/11/2016

Revised 1/2014

Municipality and Referring Agency Town of Jerusalem Zoning Board of Appeals

Project Address 3623 Bay View Lane, Penn Yan, NY 14527 Project Tax Map # 72.60-1-7

Zoning District Lake Residential (R1) Zone

Applicant (**Name & MAILING**) Laurie & Faheem Masood & John & Jurene Antonucci
14 Latour Manor, Fairport, NY 14450 Email

Property Owner (**Name & MAILING**) Laurie & Faheem Masood & John & Jurene Antonucci
14 Latour Manor, Fairport, NY 14450 Email

Reason for Referral (Prox. to Cty Rd., State Rd., Muni Boundary, etc.) Property adjacent to County Rte. 21 (Central Ave.)

Application Type

- Area Variance ☒
- Use Variance ☐
- Special Use Permit ☐
- Site Plan ☐
- Subdivision ☐
- Text Amendment ☐
- Map Amendment ☐
- Other ☐ _____

Project Description

Applicant plans to build a wooden deck on front of the existing house. Cannot meet the required setback of 10 ft. from the north side yard property line. Lot coverage will be at 27% exceeding the allowable 20% coverage.

Supporting Documents Required (IF N/A, include explanation)

- Municipal Application ☐
- Tax Map or Plat ☒
- SEQR ☐
- Site Plan * ☐
- Variance Criteria ** ☐
- Subdivision Plat ☐ For Subdivision Referrals Only
- Other ☒ Bldg. Permit

Building Permit for proposed deck, and drawing of proposed deck addition.

*If Site Plan Review, Site Plan **MUST** be detailed and meet the municipal requirements.

All Variance referrals (Area/Use) **MUST include detailed justifications associated with reason/s for appeal.

Certification: *With the following signature I certify that this application provides a complete description of the proposed local action and is a complete application pursuant to NYS General Municipal Law Article 12b, Section 239-m, part c.*

Elaine Nesbit/ZAP Secretary, Referring Official

Provision of required information is the responsibility of the referring agency. Failure to provide such information may result in a significant delay in processing.

Submit To: **Yates County Planning Department, Sbonshak@yatescounty.org or 417 Liberty St. Suite 1093, Penn Yan, NY 14527**

APPLICATION

TOWN OF JERUSALEM – PLANNING BOARD AND/OR ZONING BOARD OF APPEALS

Date 1-25-2016 **Fee** $175.00 **Application No.** 1067

The undersigned, being the Applicant(s) hereby petitions the Zoning Board of Appeals for

(X) Area Variance ( ) Appeal of a Decision by Building Inspector
( ) Use Variance ( ) Interpretation ( ) Special Use ( ) Site Plan

according to the provisions of the Ordinance, Local Laws, Rules and Regulations constituting the Zoning and Planning Ordinances and Regulations of the Town of Jerusalem.

Location of Property 3623 Bay View Lane

Tax Map No. 72.60-1-7 Zone District R1

Description of proposed request Build deck on front of property

Building permit application denied by Building Inspector because Exceeds allowable lot coverage. 27% Article VI 160-30 A.(3)
Article VI 160-30 D
Doesn't meet side yard setback. North lot line 6 feet from proposed deck location.

Date 2/4/16 Building Inspector [signature] / Joe Dove

() Use Not Allowed; () Doesn't meet front yd. setback; () Doesn't meet rear yard setback;
(X) Doesn't meet one or both side yard setback(s); (X) Exceeds allowable lot coverage; () Exceeds allowable height.

Attached to this application is the following documentation:
(X) Site Plan (X) Construction Plans ( ) Other

Applicant Laurie & Faheem Masood / John & Jurene Antonucci
Address 14 LaTour Manor, Fairport, NY 14450
Telephone 585-746-5571
Interest in Property Owners
Property Owner, if other than applicant
Owner's Signature Laurie Masood
Owner's Address 14 LaTour Manor, Fairport, NY 14450
Owner's Telephone 585-746-5571

NOTE: As a result of your filing this application, notification is given to the Planning Board and/or Zoning Board who will then visit the property siteprior to their review of this application. Your permission for this visit is implied by the filing of this application.

From: Laurie Masood [mailto:lmasood17@gmail.com]
Sent: Monday, February 15, 2016 9:34 AM
To: Elaine Nesbit
Subject: Re: Emailing: Area Variance Test Questions

Here they are:
Area Variance

1. The area variance is being requested to accommodate construction of an @ 8'-10' x 27' attached deck, which will be built according to the Town of Jerusalem and Yates County building code standards. The variance is required because the total square footage of the planned construction will cause the overall construction footprint to exceed the County's current formula. The completed construction will be in harmony with the character of the neighborhood and will not be a detriment to nearby properties, which already have similar, properly constructed attached decks.

2. The requested area variance will allow the applicants to build an attached deck which will match the width of the cottage in order to maintain a symmetrical and harmonious appearance. In addition, the planned dimensions for the deck are very modest and represent the smallest practical footprint to provide the applicants with a usable and functional deck. The benefit sought by the applicant is the only feasible method to provide the applicants with a usable and functional deck that will allow them to enjoy their property and lake views.

3. The planned construction is considered to be modest and insubstantial by the applicants since it will result in exceeding the current construction area standards by only 5-7%.

4. The proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood. The construction, which will be similar to that of adjoining properties, will be performed carefully and in accordance with the Town of Jerusalem and Yates County building code standards.

5. The requested variance is not the result a difficulty created by the applicant.

Thanks,
Laurie

TOWN OF JERUSALEM
3816 Italy Hill Road
Branchport, New York 14418
Phone: (315) 595-2284
Fax: (315) 595-2558

John & Jurene Artonucci

No. _____
Tax Map # 72.60-1-7
Lot Size @ 6916 ft
Date 1-25-2016

Laurie & Faheem Masood (Owner Name)
14 LaTour Manor (Address)
Fairport, NY 14450
585-746-5571 (Telephone #)

BUILDING PERMIT APPLICATION

1. Nature of work (check): Single family home [ ] Seasonal home [ ] Multiple dwelling [ ]

Renovation [ ] Garage [ ] Addition [ ] Farm Related [ ] Other [X] Deck

2. Street address or road 3623 Bay View Lane

3. Change of use or occupancy [ ] If business, commercial, or mixed occupancy, state nature and extent of use. _____

4. Describe project in full Build wooden deck on front of house

5. Square footage 1st flr. @ 1190 2nd flr. Ø 3rd flr. Ø Total @ 1190 ~~Basement~~ Storage Building @ 290 ft

6. Name and address of contractor
Owner's plus brother; although will possibly hire some one to dig the post holes

7. Estimated cost of construction @ $4000

[X] **PLOT PLAN** (160-65) A dimensioned plan to scale, indicating the shape, size, height and location in exact relation to all property lines and to street or road lines of all buildings or structures to be erected, altered or moved and of any building or structure already on the lot. A current survey may be required.

[ ] **APPROVED SET OF BUILDING PLANS** – Any plans for a Home or an addition over 1500 sq. ft. & All Commercial Buildings will require a Stamp and Certification by a NYS Licensed Engineer or Architect. Any addition costing more than ($20,000) will also require Stamped & Certified Plans by a NYS Licensed Engineer or Architect.

[ ] **SEPTIC PLAN** – New Home Building Sites will require a permit to hook-up to a Municipal Sewer or a Septic Construction Permit.

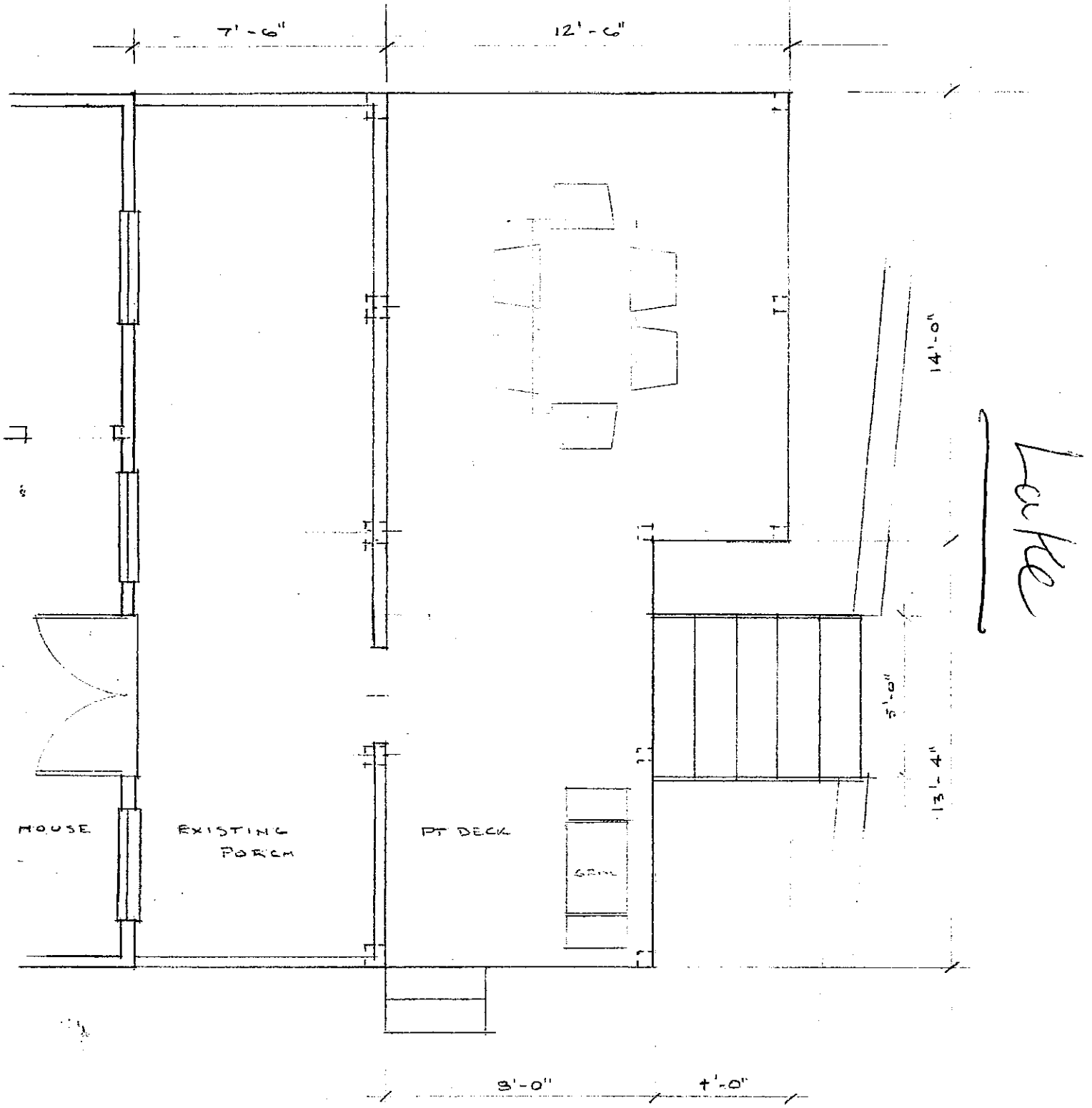
[ ] **SEPTIC PLAN** – Existing Home Sites – Septic systems will be reviewed for size and adequacy by records on file. If records are not available, the septic tank will have to be uncovered, pumped and inspected.

** Affirmation: I hereby affirm under the penalties of perjury that the information contained on this application is true and complete

Laurie E. Masood
Signature of Owner or Agent of Owner

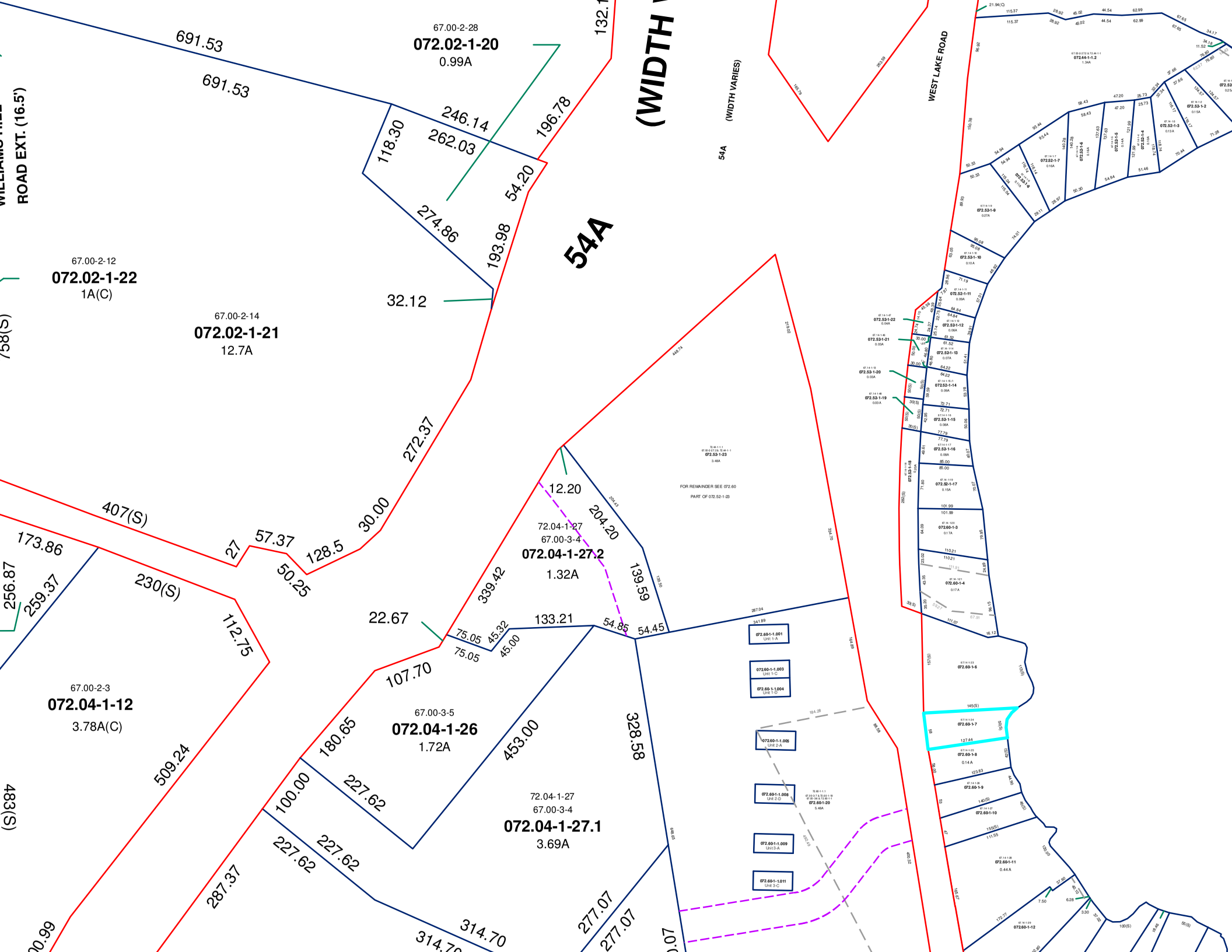
Upon issuance of a building permit, work may proceed as set forth in the specifications, plans or statements as filed with the Code Enforcement Officer. Any amendments made to the original plans and specifications must first be submitted for approval. Building permits shall become void six (6) months from the date of issuance unless substantial progress has been made and may be renewed for an additional six (6) months, upon request, without the payment of an additional fee.

NOTE: As a result of the issuance of the Building Permit, the Town Assessor is notified. The assessor will visit the site periodically during construction to judge the percent of completion. This completed percentage is added to the roll annually, and the Owner of Record will be notified of any change each year until the project is judged complete.



Drawing Prepared by David Hyer
(brother of Laurie Masood)

Pictometry Online 1.11.5
Welcome Elaine Nesbit | Coverage
Workspace
Workspace (Author)
Annotations
Bookmarks
Layers
AG_DISTRICT_2014_F
Properties
Name
Value
Selections
Search Accuracy: lation
Pictometry
Map
5 / 17
72.60-1-10
72.60-1-9
72.60-1-8
72.60-1-7
72.60-1-6
bing
Date: 04/25/2014 | Level: Neighborhood


WILLIAMSTREE
ROAD EXT. (16.5')
54A
(WIDTH VARIES)
WEST LAKE ROAD
67.00-2-28
072.02-1-20
0.99A
67.00-2-12
072.02-1-22
1A(C)
67.00-2-14
072.02-1-21
12.7A
67.00-2-3
072.04-1-12
3.78A(C)
67.00-3-5
072.04-1-26
1.72A
72.04-1-27
67.00-3-4
072.04-1-27.2
1.32A
72.04-1-27
67.00-3-4
072.04-1-27.1
3.69A
FOR REMAINDER SEE 072.60
PART OF 072.52-1-23
691.53
691.53
246.14
262.03
118.30
196.78
54.20
274.86
193.98
32.12
272.37
30.00
128.5
57.37
27
50.25
407(S)
173.86
256.87
259.37
230(S)
112.75
509.24
483(S)
22.67
12.20
204.20
339.42
139.59
133.21
54.85
54.45
75.05
45.32
45.00
75.05
107.70
180.65
100.00
227.62
453.00
328.58
227.62
227.62
287.37
314.70
314.70
277.07
277.07
072.60-1-1.001
072.60-1-1.003
072.60-1-1.004
072.60-1-1.005
072.60-1-1.008
072.60-1-1.009
072.60-1-1.011

139.59
139.50
54.45
287.04
341.89
072.60-1-1.001
Unit 1-A
072.60-1-1.003
Unit 1-C
072.60-1-1.004
Unit 1-D
164.89
184.28
328.58
072.60-1-1.005
Unit 2-A
072.60-1-1.008
Unit 2-D
88.58
72.60-1-1.1
67.00-3-7 & 72.60-1-19
67.00-3-6 & 72.60-1-1
072.60-1-20
5.48A
648.65
492.49
072.60-1-1.009
Unit 3-A
072.60-1-1.011
Unit 3-C
490.32
110.21
110.21
23.02
24.89
43.35
67.14-1-21
072.60-1-4
0.17A
33(S)
35.20
96.15
111.07
16.12
157(S)
67.14-1-23
072.60-1-6
113(S)
145(S)
67.14-1-24
072.60-1-7
50(S)
58
127.44
67.14-1-25
072.60-1-8
0.14 A
42(S)
58.00
123.83
44.90
67.14-1-26
072.60-1-9
53
140(S)
45(S)
67.14-1-27
072.60-1-10
155(S)
111.55
47
120.00
67.14-1-28
072.60-1-11
0.44 A
37.90
40.10
165.67
7.50
6.28
3.30
37.02
172.77
67.14-1-29
072.60-1-12

157(S)
58
58.00
67.14-1-23
072.60-1-6
67.14-1-24
072.60-1-7
145(S)
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67.14-1-25
072.60-1-8
0.14 A
123.83
67.14-1-26
072.60-1-9
50(S)
42(S)
44.90
113(S)

REFERENCES

[A.] – WARRANTY DEED –
BENSON T. & EDNA SHIRTZ
TO: (DEC. 15, 1991) L. 373, PG. 451
ROBERT W. SUNDELL

[B.] – SURVEY MAP –
"LAND TO BE CONVEYED BY BENSON T. & EDNA SHIRTZ"
FILED DEC. 24, 1991 IN L. 16 OF MAPS, PG. 434
PREPARED BY DAVID W. ANDERSEN, LS
(SEE MAP FILED IN L. 1 OF MAPS, PG. 49)

[C.] – ABSTRACT OF TITLE –
SEARCH #4-143
LAST DATED JUNE 18, 2015
PREPARED BY KEUKA ABSTRACT CORP.

LEGEND

-- ● -- FOUND IRON PIN
-- ⊕ -- FOUND IRON PIPE
-- △ -- CORNER NO MARKER
OVERHEAD UTILITY LINE
-- ø -- UTILITY POLE
—×—×— WOOD PRIVACY FENCE

0 25 50 75

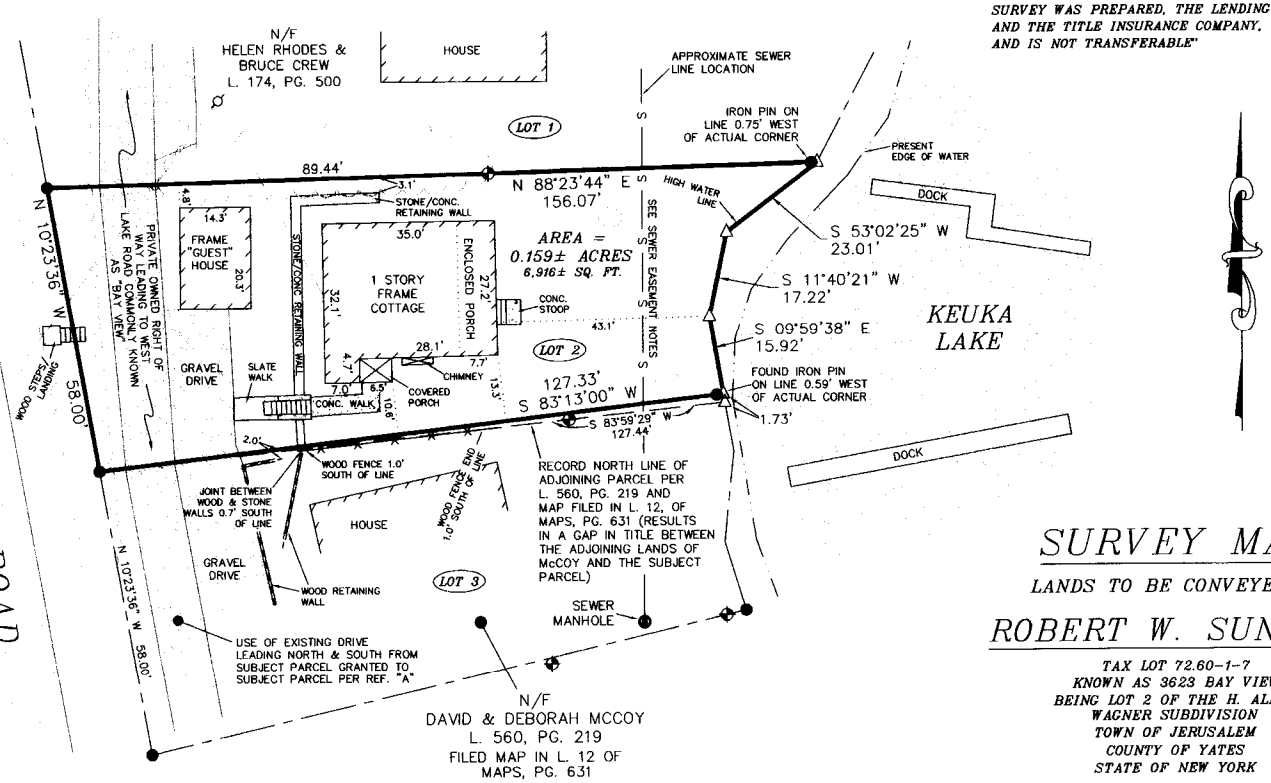
PLAT #15-YA4-200.DWG

NOTES

"UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING THE SEAL OF A LICENSED LAND SURVEYOR IS A VIOLATION OF SECTION 7209, SUBDIVISION 2, OF THE NEW YORK STATE EDUCATION LAW"

"ONLY COPIES OF THIS SURVEY MAP MARKED WITH AN ORIGINAL OF THE LAND SURVEYOR'S EMBOSSED OR INK SEAL SHALL BE CONSIDERED TO BE TRUE VALID COPIES"

"THE CERTIFICATION ON THIS SURVEY MAP IS LIMITED TO THE PERSONS FOR WHOM THE SURVEY WAS PREPARED, THE LENDING INSTITUTION, AND THE TITLE INSURANCE COMPANY, ALL AS NOTED, AND IS NOT TRANSFERABLE"



SURVEY MAP

LANDS TO BE CONVEYED BY

ROBERT W. SUNDELL

TAX LOT 72.60-1-7
KNOWN AS 3623 BAY VIEW
BEING LOT 2 OF THE H. ALLEN WAGNER SUBDIVISION
TOWN OF JERUSALEM
COUNTY OF YATES
STATE OF NEW YORK

I HEREBY CERTIFY TO:

[A.] JOHN ANTONUCCI
[B.] JURENE ANTONUCCI
[C.] FAHEEM MASOOD
[D.] LAURIE MASOOD
[E.] CREARY LAW GROUP, P.C.
[F.] FIRST AMERICAN TITLE INSURANCE COMPANY

I AM A LICENSED LAND SURVEYOR AND THIS MAP DATED JULY 14, 2015 IS BASED ON AN INSTRUMENT SURVEY COMPLETED ON JULY 11, 2015 BY ME PER THE STANDARDS ADOPTED BY THE NEW YORK STATE ASSOCIATION OF PROFESSIONAL LAND SURVEYORS.

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EASEMENT NOTES

SURVEYED PREMISES SUBJECT TO 20' WIDE SANITARY SEWER EASEMENT GRANTED TO THE TOWN OF JERUSALEM PER L. 273, PG. 39, THE APPROXIMATE LOCATION OF WHICH IS SHOWN HEREON AS "APPROXIMATE SEWER LINE LOCATION"

RICHARD DAUGHERTY
PROFESSIONAL LAND SURVEYOR
4871 BELKNAP HILL ROAD
BRANCHPORT, NEW YORK 14418
PHONE: 607 522 4702

#5157

"B" M15-157

DOCUMENT # 000001527
BOK VOL: PAGE
JUL 17 2015 11:14 AM
RECEIPT # 13686
RATE: $25.00
YATES COUNTY Clerk